

AMENDMENTS TO THE CLAIMS

1. (Currently Amended) A method for determining a jitter buffer depth target comprising steps of:

determining a radio frequency (RF) load metric corresponding to a base site;

comparing the determined RF load metric to an RF load threshold to produce a comparison; and

determining a jitter buffer depth target of a receiving mobile station based on the comparison.

2. (Original) The method of claim 1, wherein when the determined radio frequency (RF) load metric is greater than the RF load threshold, a jitter buffer depth target is used that is appropriate for a communication using retransmissions.

3. (Currently Amended) The method of claim 2, wherein determining a radio frequency (RF) load metric comprises determining an RF load and wherein the method further comprising comprises a step of determining to transmit frames at a lower power level when the determined ~~radio frequency (RF)~~ load ~~metric~~ is greater than the RF load threshold.

4. (Currently Amended) The method of claim 2, wherein determining a radio frequency (RF) load metric comprises determining an RF load and wherein the method further comprising comprises a step of determining to retransmit erroneously received frames when the determined ~~radio frequency (RF)~~ load ~~metric~~ is greater than the RF load threshold.

5. (Original) The method of claim 1, wherein when the determined radio frequency (RF) load metric is less than the RF load threshold, a jitter buffer depth target is used that is appropriate for a communication using a reduced number of retransmissions.

6. (Currently Amended) The method of claim 5, wherein determining a radio frequency (RF) load metric comprises determining an RF load and wherein the method further

~~comprising~~ comprises a step of determining to transmit frames at a higher power level when the determined ~~radio frequency (RF) load metric~~ is less than the RF load threshold.

7. (Currently Amended) The method of claim 5, wherein determining a radio frequency (RF) load metric comprises determining an RF load and wherein the method further ~~comprising~~ comprises a step of determining to reduce a use of retransmissions of erroneously received frames when the determined ~~radio frequency (RF) load metric~~ is less than the RF load threshold.

8-11. Canceled

12. (New) The method of claim 3, further comprising a step of determining to retransmit erroneously received frames when the determined radio frequency (RF) load is greater than the RF load threshold.

13. (New) The method of claim 6, further comprising a step of determining to reduce a use of retransmissions of erroneously received frames when the determined radio frequency (RF) load is less than the RF load threshold.